



08-29-05  
JC02 Rec'd PCT/P 26 AUG 2005

Express Mail No. EV475141351US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: RUPP, Stephan.

Confirmation No.: 7105

Serial No.: 10/510,939

Art Unit:

International Filing Date: April 9, 2002

Examiner: To be assigned

Title:: DEVICE FOR GUIDING A  
CERCLAGE WIRE

Attorney 232200-610108  
Docket No: (formerly 708716-999989)

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Requirements mailed on June 27, 2005 in connection with the above-identified patent application, applicant submits herewith an executed Declaration for Non-Provisional Patent Application. A copy of the Notice of Missing Requirements is submitted herewith as well. Applicant authorizes the U.S. Patent and Trademark Office to charge the required \$130.00 surcharge to Jones Day Deposit Account No. 50-3013. Since this response is filed timely, within two months from the date of mailing of the Notice, no other fee is believed to be due for this submission. In the event a fee is required, please charge the require fee to the above-identified Deposit Account.

09/06/2005 HKAYPAGH 00000134 503013 10510939

01 FC:1617 130.00 DA

Date: August 26, 2005

Respectfully submitted,

*Brian Rothery / by Ian Scott*

Brian M. Rothery

Reg. No. 35,340

By Ian Scott

Reg. No. 44,327

**JONES DAY**

222 East 41st Street

New York, New York 10017

(212) 326-3939

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IMAGE F22



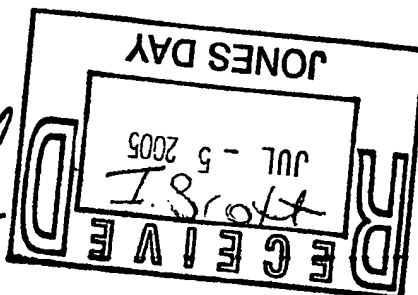
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/510,939	FIRST NAMED APPLICANT Stephan Rupp	ATTY. DOCKET NO. 706718-999989
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INTERNATIONAL APPLICATION NO. PCT/CH02/00199	
LA. FILING DATE 08/09/2002	PRIORITY DATE

51832  
JONES DAY  
222 EAST 41ST STREET  
NEW YORK, NY 10017-6702



CONFIRMATION NO. 7105

371 FORMALITIES LETTER



\*OC00000016385591\*

Date Mailed: 06/27/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/08/2004
- Copy of the International Search Report filed on 10/08/2004
- Copy of IPE Report filed on 10/08/2004
- Preliminary Amendments filed on 10/08/2004
- Oath or Declaration filed on 10/08/2004
- Request for Immediate Examination filed on 10/08/2004
- U.S. Basic National Fees filed on 10/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,939	PCT/CH02/00199	706718-999989

FORM PCT/DO/EO/905 (371 Formalities Notice)